

plan. The inmate's participation in a treatment program is required, not optional. An inmate's failure to participate may result in disciplinary action.

(3) *Pre-release phase:* The YCA inmate shall enter the pre-release phase approximately 9 months prior to release. The pre-release phase is ordinarily divided into two segments: participation in the institution pre-release program and a stay at a Community Corrections Center (CCC), if otherwise eligible. Institution pre-release programs shall focus on the types of problems the inmate may face upon return to the community, such as re-establishing family relationships, managing a household, finding and keeping a job, and developing a successful life style. In addition, the pre-release phase may include visits from prospective employers.

(b) Staff shall establish incentives to motivate YCA inmates and to encourage program completion. Examples of such incentives which may be used are special recognition, awards, and "vacation days".

(c) The program plan, and the YCA inmate's participation in fulfilling goals contained within the plan, are fundamental factors considered by the U.S. Parole Commission in determining when a YCA inmate should be paroled. Given the importance and joint use of the YCA programming process, the current program plan and a summary of the inmate's progress in meeting established treatment goals must be made available for review and discussion by the Commission at each parole hearing. In addition, a staff member familiar with the YCA inmate's case should be present at any parole hearing to clarify any questions concerning the plan or the inmate's progress in completing the plan.

(d) Upon full and satisfactory completion of the program plan, the Warden will notify the U.S. Parole Commission and make a specific recommendation for release.

§ 524.23 Program reviews.

Staff shall conduct periodic reviews of the inmate's program plan and shall modify the plan in accordance with the level of progress shown. Each YCA inmate shall be afforded a review at least once each 90 days, and shall have a for-

mal progress report prepared every year summarizing the inmate's level of achievement. If the inmate's program plan needs to be modified in light of the progress made, or the lack thereof, appropriate changes will be made and a revised program plan will be developed and documented. Staff shall ordinarily notify the inmate of the 90-day review at least 48 hours prior to the inmate's scheduled appearance before the Unit Team. An inmate may waive in writing the requirement of 48 hours notice.

§ 524.24 Parole hearings.

All YCA inmates have been extended the parole procedures present in *Watts* vs. *Hadden*. YCA inmates shall be scheduled for interim hearings on the following schedules:

(a) For those inmates serving YCA sentences of less than 7 years, an in-person hearing will be scheduled every 9 months.

(b) For those inmates serving YCA sentences of 7 years or more, an in-person hearing will be scheduled every 12 months.

(c) Upon notification of a response to treatment/certified completion of a program plan by the Bureau of Prisons, the Parole Commission will schedule the inmate for an in-person hearing on the next available docket, unless the inmate is paroled on the record. If a hearing is held and the inmate is denied parole, the next hearing shall be scheduled in accordance with the schedule outlined in paragraphs (a) and (b) of this section.

(d) The hearings mentioned in paragraphs (a) and (b) of this section are not required for inmates who have been continued to expiration or mandatory parole who have less than one year remaining to serve or to a CCC placement date.

§ 524.25 U.S. Parole Commission.

The U.S. Parole Commission is the releasing authority for all YCA inmates except for full term and conditional releases. The Commission shall be provided a progress report:

(a) Upon request of the Commission,

(b) Prior to any interim hearing or pre-release record review, or

(c) Upon determination by the inmate's Unit Team, with concurrence by

§ 524.40

the Warden, that the inmate has completed his or her program plan.

Subpart D [Reserved]

Subpart E—Progress Reports

SOURCE: 55 FR 49977, Dec. 3, 1990, unless otherwise noted.

§ 524.40 Purpose and scope.

The Bureau of Prisons maintains current information on each inmate through progress reports completed by staff. The progress report summarizes information relating to the inmate's adjustment during confinement, program participation, and readiness for release.

§ 524.41 Types of progress reports.

The Bureau of Prisons prepares the following types of progress reports.

(a) Initial Hearing—prepared for an inmate's initial parole hearing when progress has not been summarized within the previous 180 days.

(b) Statutory Interim/Two-Thirds Review—prepared for a parole hearing conducted 18 or 24 months following a hearing at which no effective parole date was established, or for a two-thirds review (see 28 CFR 2.53) unless the inmate has waived the parole hearing.

(c) Pre-Release—

(1) Record Review—prepared for and mailed to the appropriate Parole Commission office at least eight months prior to the inmate's presumptive parole date.

(2) Final—prepared at least 90 days prior to the release of an offender to a term of supervision.

(d) Transfer Report—prepared on an inmate recommended and/or approved for transfer to a community corrections center (CCC) or to another institution and whose progress has not been summarized within the previous 180 days.

(e) *Triennial report*—prepared on each designated inmate at least once every 36 months if not previously generated for another reason required by this section.

(f) Other—prepared for any reason other than those previously stated in

28 CFR Ch. V (7–1–11 Edition)

this section. The reason (e.g., court request, clemency review) is specified in the report.

[55 FR 49977, Dec. 3, 1990, as amended at 59 FR 6856, Feb. 11, 1994; 60 FR 10722, Feb. 27, 1995; 63 FR 7604, Feb. 13, 1998]

§ 524.42 Content of progress reports.

Staff shall include the following in each progress report:

- (a) Institution (full name) and Date;
- (b) Type of Progress Report;
- (c) Committed name;
- (d) Registration number;
- (e) Age;
- (f) Present security and custody level;
- (g) Offense(s) for which committed;
- (h) Sentence;
- (i) Date sentence began;
- (j) Time served to date, including jail time credit;
- (k) Good conduct time/Extra good time earned;
- (l) Statutory good time withheld or forfeited; Disallowed good conduct time;
- (m) Projected release date;
- (n) Most recent Parole Commission action, including any special conditions or requirements (if applicable);
- (o) Detainers and pending charges on file;
- (p) Institutional adjustment; this ordinarily includes information on the inmate's:
 - (1) Program plans;
 - (2) Work assignments and skills acquired;
 - (3) Educational/vocational participation;
 - (4) Counseling programs;
 - (5) Incident reports;
 - (6) Institutional movement;
 - (7) Physical and mental health, including any significant mental or physical health problems, and any corrective action taken; and
 - (8) Financial responsibility.
- (q) Release planning:
 - (1) Where appropriate, staff shall request that the inmate provide a specific release plan;
 - (2) Staff shall identify available release resources (including CCC) and any particular problem that may be present in release planning.

[59 FR 6857, Feb. 11, 1994]